

5-OCT-2001 15:52 FROM REDDIE A PACER

OFFICE FILE NO P338.30

UNITED STATES OF AMERICA
COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and place, and as stated below here to my name, that I certify believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural names are named) of the subject matter which is claimed and for which a patent is sought in this application entitled:

ELECTRONIC TRADING SYSTEM

The specification of which is attached hereto, unless the Patent is a design patent.

☒ was filed on August 29, 2001 at United States Patent and Trademark Office (USPTO) International Bureau

application number 09/942,426 and was amended on: (Date)

I hereby state that I have reviewed and understood the contents of the above declaration, including the statement amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to be material to the patentability of the invention in accordance with Title 35, United States Code, § 112.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign, state, or other patent or other application or United States provisional application(s) listed below and have also identified below any foreign, state, or other patent or other application having a filing date before that of the application on which priority is claimed:

Prior Foreign or Provisional Application(s)

| COUNTRY | APPLICATION NUMBER | DATE OF FILING | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |
|---------|--------------------|----------------|--|
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, § 119 of any United States application or other patent or other application or United States provisional application(s) listed below and have also identified below any foreign, state, or other patent or other application having a filing date before that of the application on which priority is claimed.

| UNITED STATES APPLICATION NUMBER | DATE OF FILING | STATUS |
|----------------------------------|----------------|--------------------------|
| | | (on, pending, completed) |
| | | |
| | | |

I hereby appoint customer no. 2352 OSTROLENSKY, EUGENE A. SOLOVYEV, and as a partner of the firm Samuel H. Weinman, Reg. No. 13,510; Jerome M. Berliner - Reg. No. 18,653; Robert C. Haber - Reg. No. 24,312; Steven J. Winkler - Reg. No. 27,409; Max Moskowitz - Reg. No. 30,579; Stephen A. Solfer - Reg. No. 30,600; William C. Gile II - Reg. No. 30,944; Louis C. Dujmich - Reg. No. 30,825; Douglas A. Aiso - Reg. No. 31,271; and Kenneth J. Pitt - Reg. No. 31,425, as a person with full power of substitution and revocation to prosecute this application, to transfer all business in the future to the firm and to receive all correspondence.

SEND CORRESPONDENCE TO: OSTROLENSKY, EUGENE A. SOLOVYEV, ATTORNEYS AT LAW
1180 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036-3402
CUSTOMER NO. 2352

I hereby declare that all statements made herein of my own knowledge are true and that I believe the statements made herein to be true; and further that these statements were made with the knowledge that willful false statements in a patent application are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such statements are prohibited by the application or any patent issued thereon.

| | |
|--|------------------------|
| FULL NAME OF SOLE OR FIRST INVENTOR | DATE |
| Peter Richard Horsfall | 10/22/01 |
| RESIDENCE (City and either State or Foreign Country) | COUNTRY OF CITIZENSHIP |
| Morristown, New Jersey 07960 | United Kingdom |
| POST OFFICE ADDRESS | |
| 30 Wetmore Avenue, Morristown, New Jersey, 07960 | |
| FULL NAME OF SECOND JOINT INVENTOR (if any) | DATE |
| | |
| RESIDENCE (City and either State or Foreign Country) | COUNTRY OF CITIZENSHIP |
| | |
| POST OFFICE ADDRESS | |
| | |

☒ CONTINUED ON PAGE 2

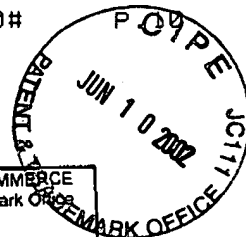
BEST AVAILABLE COPY

OFFICE FILE NO P338.30
P. 00

6-15-81 11:39

RECEIVED 77-11-4 11:40:38

Received from <212 997 9880> at 6/10/02 11:35:41 AM (Eastern Daylight Time)



| Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) | | RECORDATION FORM COVER SHEET PATENTS ONLY | | U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office | |
|---|--|--|--|---|--|
| To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof | | | | | |
| 1. Name of conveying party(ies): Peter Richard Horsfall (10/22/01) Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | 2. Name and address of receiving party(ies) Name: <u>Electronic Broking Services Limited</u> Internal Address: _____ Street Address: <u>55-56 Lincolns Inn Fields</u> City: <u>London</u> State: <u>England</u> Zip: <u>WC2A, 3LJ</u> Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>see Box 1, conveying parties</u> | | 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the new application is: _____ A. Patent Application No.(s): <u>09/942,426</u> B. Patent No.(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Steven I. Weisburd</u> <u>DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP</u> Internal Address: <u>Atty. Dkt.: P/3879-30</u> Street Address: <u>1177 Avenue of the Americas</u> City: <u>New York</u> State: <u>NY</u> Zip: <u>10036-2714</u> | | 6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>04-1073</u> (Attach duplicate copy of this page if paying by deposit account) | | | |
| DO NOT USE THIS SPACE | | | | | |
| 9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <u>Steven I. Weisburd</u> <u>[Signature]</u> <u>January 31, 2002</u> Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and documents: _____ | | | | | |

BEST AVAILABLE COPY

15-OCT-2001 16:51 FROM REDDIE J GROSS

CPGS FILE NO. P/378330

PATENT APPLICATION ASSIGNMENT -
JOINT AND JOINT INVENTORS

WHEREAS, I, Peter Richard Horsfall, of assignor, have invented certain improvements in ELECTRONIC TRADING SYSTEM for which an application for United States Letters Patent has been executed by me of even date herewith; and

WHEREAS, Electronic Broking Services Limited, an English Limited Company, having its principal place of business at 55-55 Lincoln Inn Fields, London WC2A, 3LJ, England, as assignee, is desirous of acquiring all right, title and interest in and to said invention and any Patent that may be granted therefor.

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I, as assignor, hereby sell, assign and set over to said assignee the entire right, title and interest for the United States and all other countries in and to said invention and the aforesaid application for patent, all original, divisional, continuation, substitute or reissue applications and patents applied for or granted therefor in the United States and all other countries, including all rights of priority from the filing of said application, and all rights for past infringement, and the Commissioner of Patents and Inventions is hereby authorized and requested to issue all patents on said inventions or resulting therefrom to said assignee. I, as assignor, as assignee of the entire interest therein; and the undersigned for myself and my legal representatives, heirs and assigns do hereby agree and covenant without further consideration, to execute and deliver all divisional, continuation, reissue and other applications for Patent on said inventions and all assignments thereof to said assignee or its assigns, to communicate to said assignee or its representatives all facts known to the undersigned respecting said inventions, whenever requested, to testify in any interferences or other legal proceedings in which any of said applications or patents may become involved, to sign all lawful papers, make all rightful oaths, and to do generally everything necessary to assist assignee, its successors, assigns and nominees to obtain patent protection for said invention in the United States and all other countries, the expenses incident to said applications to be borne and paid by said assignee.

Date 22 OCT 2001

Peter Richard Horsfall

STATE OF NEW JERSEY)
COUNTY OF MORRISTOWN) ss.:

This ____ day of _____, 20____, before me personally came the above-named _____, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that the same was executed by him of his own free will for the purposes therein set forth.

Notary Public - Seal

BEST AVAILABLE COPY

00827492.1

RECEIVED FROM THE NOTARY PUBLIC

P.02

15-10-01 11:38

Received from <212 997 9880> at 6/10/02 11:35:41 AM [Eastern Daylight Time]